



Docket No.: S01237.70019.US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Athar H. Chishti et al.  
U.S. Serial No. : 10/087,464  
Conf. No. : 8902  
Filed : March 1, 2002  
Title : BAND 3 ANTIGENIC PEPTIDES, MALARIA POLYPEPTIDES AND USES THEREOF  
Examiner : Nita M. Minnifield  
Art Unit : 1645

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the 2<sup>nd</sup> day of July, 2003.

Melissa L. Barlow  
Melissa L. Barlow

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following:

- Response to Restriction Requirement**  
 **Postcard**

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617)720-3500, Boston, Massachusetts.

No check is enclosed. Any deficiencies may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

MaryDilys S. Anderson  
MaryDilys S. Anderson, Reg. No. 52,560  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210  
Tel: (617) 720-3500

Attorney's Docket No.: S01237.70019.US  
Dated: July 2, 2003  
XXD: 07/03/03

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TECH CENTER 1600/2900



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#9  
Linda  
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*Melissa L. Barlow*  
Melissa L. Barlow

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**RESPONSE TO RESTRICTION REQUIREMENT**

TECH CENTER 1600/2900

Sir:

In response to the Restriction Requirement dated June 3, 2003, Applicants hereby request entry of the following election.

**ELECTION**

Applicants hereby elect the claims of Group I, which includes claims 1, 18, 27, 37, 42, and 49. Group I is drawn to a polypeptide. Applicants hereby elect SEQ ID NO:3 as a species, with traverse. Applicants expressly reserve the right to file one or more applications on the subject matter of the nonelected claims and species.

**REMARKS**

In response to the Restriction Requirement, Applicants have elected to prosecute the claims of Group I. Applicants respectfully traverse the Examiner's requirement that Applicants elect a specifically named single species from among SEQ ID NO:1-4, 11-13, 33-35, and 46-53.

Applicants respectfully request examination of each of the polypeptide sequences set forth as SEQ ID NOs:1-4. Applicants assert that SEQ ID NOs 1-4 are regions of a single,

protein, with SEQ ID NO:1-3 overlapping regions and SEQ ID NO:4 an adjacent region of the same protein. Applicants submit that the search and examination of these sequences would not present an undue burden for the Examiner. Applicants request examination of each of the polypeptide sequences set forth as SEQ ID NO:1, SEQ ID NO:2, SEQ ID NO:3, and SEQ ID NO:4. If the Examiner will not allow examination of the four aforementioned sequences, Applicants respectfully request that SEQ ID NO:1, SEQ ID NO:2, and SEQ ID NO:3, be examined, as they are overlapping sequences of the same protein. In the event that the Examiner will not allow examination of the full group of four sequences as described above, or the group of SEQ ID NO:1, SEQ ID NO:2, and SEQ ID NO:3, Applicants elect examination of SEQ ID NO:3.

Respectfully submitted,

Mary Dilys S. Anderson  
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